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4 BILL NO. Z-73-03-¹³~~12~~

5 ZONING MAP ORDINANCE NO. Z-~~Withdraw~~

6 AN ORDINANCE amending the City of Fort
7 Wayne Zoning Map No. G9.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
9 FORT WAYNE, INDIANA:

10 SECTION 1. That the area described as follows is
11 hereby designated an R3 district under the terms of Chapter 36,
12 Municipal Code of the City of Fort Wayne, Indiana, 1946, as
13 amended by General Ordinance no. 2836 and amendments thereof;
14 and the symbols of the City of Fort Wayne Zoning Map No. G9,
15 referred to therein, established by Section 9, Article III
16 of said Chapter as amended, are hereby changed accordingly,
17 to-wit:

18 The South 150 feet of the West 1/2 of Lot
19 Number 5 in Inwood Park Addition to the City
20 of Fort Wayne, Allen County, in the State of
21 Indiana:

22 and respectively

23 The East 70 feet of the South 100 feet of Lot
24 5 and the West 30 feet of the South 150 feet
25 of Lot 6 in Inwood Park Addition to the City
26 of Fort Wayne, Allen County, in the State of
27 Indiana.

28 SECTION 2. This Ordinance shall be in full force and
29 effect from and after its passage and approval by the Mayor and
30 legal publication thereof.

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Virvian A. Schmidt
Councilman

APPROVED AS TO FORM
AND LEGALITY.
Paul B. Allen
CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Leg. relations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 3-13-73

CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage. Passed (LOST) by the following vote:

	AYES _____	NAYS _____	ABSTAINED _____	ABSENT _____ to-wit:
BURNS	_____	_____	_____	_____
HINGA	_____	_____	_____	_____
KRAUS	_____	_____	_____	_____
MOSES	_____	_____	_____	_____
NUCKOLS	_____	_____	_____	_____
SCHMIDT, D.	_____	_____	_____	_____
SCHMIDT, V.	_____	_____	_____	_____
STIER	_____	_____	_____	_____
TALARICO	_____	_____	_____	_____

DATE: _____

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 197____.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 13, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-03-13; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 26, 1973; and,

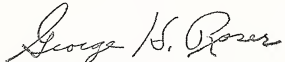
WHEREAS, a letter requesting withdrawal of the proposed ordinance has been filed with the City Plan Commission by the attorney representing the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN in accordance with the written request of the attorney representing the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 25, 1974.

Certified and signed this
27th day of February, 1974.



George Roser
Secretary

Bill No. Z-73-03-13

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. G9

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance ^{Per} Withdraw ~~PASS~~.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

Vivian G. Schmidt

William T. Hinga

Paul M. Burns

Donald J. Schmidt

DATE 3-12-74 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

Chul #15365

Nº 184

GENERAL FUND

FT. WAYNE, IND. Feb. 13 1973RECEIVED FROM Philip Jarrill \$50.00THE SUM OF Fifty and 100 DOLLARSON ACCOUNT OF Regrate from RA to R-3At Lot 6, At Lot 5 Inwood AdditionW. Hartman

AUTHORIZED SIGNATURE

Peters & Peebles

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE

Date Filed _____

CITY OF FORT WAYNE, INDIANA

Intended Use _____

John J. Bloom and Charlene E. Bloom, husband and wife, and

&/We respectively, Peter R. Bojrab and Karen A. Bojrab, husband and wife
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an RA District to a/an R-3 District the property described as follows:

The South 150 feet of the West 1/2 of Lot Number 5 in Inwood Park Addition to the City of Fort Wayne, Allen County, in the State of Indiana;

and respectively

The East 70 feet of the South 100 feet of Lot 5 and the West 30 feet of the South 150 feet of Lot 6 in Inwood Park Addition to the City of Fort Wayne, Allen County, In the State of Indiana

(Legal Description)

(General Description for Planning Staff Use Only)

&/We, the undersigned, certify that I/am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

John J. Bloom 4129 E. State Blvd.

Charlene E. Bloom 4129 E. State Blvd.

Peter R. Bojrab 6031 Manchester Dr.

Karen A. Bojrab 6031 Manchester Dr.
(Name) (Address)

(Signature)

Legal Description Checked By: _____

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Philip R. Terrill 1700 Lincoln Tower
(Name) (Address)

743-3305
(Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street, Fort Wayne, Indiana 46802 Telephone Number 423-7571

PETERS, PEEBLES & TERRILL
ATTORNEYS AND COUNSELORS AT LAW
1700 LINCOLN BANK TOWER
FORT WAYNE, INDIANA 46802

AREA CODE 219
TELEPHONE 743-3305

DAVID PETERS
DAVID PEEBLES
PHILIP R. TERRILL
JOHN S. KNIGHT

November 9, 1973

Mr. Ralph R. Blume
Associate City Attorney
116 E. Wayne
Fort Wayne, Indiana

Re: Amendment of Legal Description of Petition
for Zoning Ordinance Amendment filed February
13, 1973, Receipt #184
Bill #Z-73-03-13; Zoning from "R-A" to "R-3"

Dear Doc:

As you will recall, earlier in the year we filed a Petition for and on behalf of John J. Bloom and Charlene E. Bloom, husband and wife, and Peter R. Bojrab and Karen A. Bojrab, husband and wife, for the rezoning from an "R-A" district to an "R-3" district with regard to the two properties on the Northeast corner of East State Street and Inwood Drive, Fort Wayne, Indiana.

As you will recall, there was a scrivener's error and the legal description of the second property owned by the Bojrabs had an incorrect dimension. I have set out a Petition asking that we be allowed to interlineate and amend said legal description which Petition and copies are enclosed for your review and hopefully, approval.

If there is any additional information or modifications that you will require, please advise. I would trust that the matter can be accomplished along these lines as we had previously discussed.

Would you please keep me advised as to the progress hereof so that we may advance any additional costs that might be required if notice or publication or advertisement of said amendment is deemed to be necessary by you. Thank you.

Very truly yours,
PETERS, PEEBLES & TERRILL


Philip R. Terrill

PRT/lrs

Petition to Amend
Legal Description

TO:

Common Council of the City of Fort Wayne, Indiana

RE: Amendment of Legal Description of Petition
for Zoning Ordinance Amendment filed February
13, 1973, Receipt #184
Bill #Z-73-03-13; Zoning from "R-A" to "R-3"

Comes now Philip R. Terrill, being duly sworn upon oath,
deposes and says as follows:

1. That your affiant is the attorney of record for the
petitioner owners of the following described real estate:

- A. The South 150 feet of the West 1/2 of
Lot Number 5 in Inwood Park Addition
to the City of Fort Wayne, Allen
County, in the State of Indiana

owned by John J. Bloom and Charlene E. Bloom, husband and wife,
and

- B. The East 70 feet of the South 150 feet of
Lot 5 and the West 30 feet of the South
150 feet of Lot 6 in Inwood Park Addition
to the City of Fort Wayne, Allen County,
in the State of Indiana

owned by Peter R. Bojrab and Karen A. Bojrab, husband and wife.

2. That your affiant states that the legal description
of the real estate described in 1 (B) above owned by Peter R.
Bojrab and Karen A. Bojrab, husband and wife, was erroneously
typed and by scrivener's error not correctly shown in that said
real estate is as described in Paragraph 1 (B) above and not as
originally submitted as follows:

(100)
The East 70 feet of the South 150 feet of
Lot 5 and the West 30 feet of the South 150
feet of Lot 6 in Inwood Park Addition to
the City of Fort Wayne, Allen County, in the
State of Indiana

in that said portion underlined herein should have been the South 150 feet.

3. Your affiant has brought this to the attention of all the proper authorities and the City Plan Commission and the Associate City Attorney assigned thereto, Ralph Blume.

4. Your affiant respectfully requests that the legal description in the original Petition be amended to reflect the correct description of the real estate owned by Peter R. Bojrab and Karen A. Bojrab, husband and wife and that if said amendment requires an additional cost for advertising, your affiant respectfully represents that any costs relating thereto will be advanced and paid by the petitioners.

WHEREFORE, petitioners herein respectfully request that the legal description of the real estate owned by Peter R. Bojrab and Karen A. Bojrab be corrected and amended and properly interlineated upon said Petition and advertised if necessary and that all other steps deemed to be appropriate are taken and accomplished with regard thereto and for all other just and proper relief in the premises.

PETERS, PEBBLES & TERRILL

BY: Philip R. Terrill
Philip R. Terrill
Attorney for Petitioner
1700 Lincoln Bank Tower
Fort Wayne, Indiana 46802

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Subscribed and sworn to before me, a Notary Public in and for said County and State, this 14th day of November, 1973.

My Commission Expires: Linda S. Singer
November 1, 1975 Linda S. Singer, Notary Public

APPROVAL

The annexed Petition of Philip R. Terrill, Attorney for John J. Bloom and Charlene E. Bloom, husband and wife, and Peter R. Bojrab and Karen A. Bojrab, husband and wife, for the amendment and correction of the legal description of the real estate owned by Peter R. Bojrab and Karen A. Bojrab, which real estate is correctly described as follows:

The East 70 feet of the South 150 feet of Lot 5 and the West 30 feet of the South 150 feet of Lot 6 in Inwood Park Addition to the City of Fort Wayne, Allen County, in the State of Indiana

is hereby approved and the description is now ordered corrected by interlineation and all other steps necessary to accomplish same are now approved.

Ralph R. Blume, Associate
City Attorney

PETERS, PEEBLES & TERRILL
ATTORNEYS AND COUNSELORS AT LAW
1700 LINCOLN BANK TOWER
FORT WAYNE, INDIANA 46802

AREA CODE 219
TELEPHONE 743-3305

DAVID PETERS
DAVID PEEBLES
PHILIP R. TERRILL
JOHN S. KNIGHT

February 25, 1974

City of Fort Wayne
City Plan Commission
City-County Building
Fort Wayne, Indiana 46802

Att: Gary F. Baeten
Land Use Administrator

Re: Bill No. Z-73-03-13
Change from "RA" to "R3"
Northeast corner of State and Inwood

Dear Gary:

With regard to the above captioned bill and your meeting scheduled tonight, February 25, 1974 at 7:30 p.m. in Room #128 of the City-County Building, as counsel for the petitioners, we would like to withdraw our bill from consideration at this time.

Thank you for allowing us to withdraw this matter from your consideration. Thank you for all the courtesy you have extended to us throughout this matter.

Very truly yours,

PETERS, PEEBLES & TERRILL



Philip R. Terrill

PRT/lrs
cc Phil Knapke

DIGEST SHEETTITLE OF ORDINANCE Zoning Map Ordinance 2-13-03 ¹³ ~~14~~DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE _____

Preparation of a Zoning Map Amendment Ordinance petition initiated by property
owners to rezone property located as follows:

The South 150 feet of the West 1/2 of Lot Number 5 in Inwood Park Addition to the

City of Fort Wayne, Allen County, in the State of Indiana; and respectively

The East 70 feet of the South 100 feet of Lot 5 and the West 30 feet of the

South 150 feet of Lot 6 in Inwood Park Addition to the City of Fort Wayne,

Allen County, In the State of Indiana

From an "RA" to "R3"

EFFECT OF PASSAGE _____

EFFECT OF NON-PASSAGE _____

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) Reg Wren Jr.

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

BILL NO.	2-73-03-13
ORDINANCE NO.	
REGULAR SESSION	3-13-73
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	Keller
BILL WRITTEN BY	City Plan Com.
DATE INTRODUCED	3-13-73
REFERRED TO SAID STANDING COMMITTEE	Regulation
REFERRED TO CITY PLAN	3-13-73
LEGAL PUBLIC HEARING	
LEGAL PUBLICATION	
JOINT HEARING	
DEPARTMENT HEARING	
HOLD FILE	
PASS	
DO NOT PASS	
WITHDRAWN	
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

X	COMMITTEE SHEET
X	VOTE SHEET
	PURCHASE ORDERS
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	COMMUNICATIONS FROM
	Petition for Zoning Change
X	ZONING MAPS
	ABSTRACTS
	TITLES
	PRIOR APPROVAL LETTER

Digest sent

COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS			
HINGA			
KRAUS			
MOSES			
NUCKOLS			
D. SCHMIDT			
V. SCHMIDT			
STIER			
TALARICO			

COMMENTS: